

Charles M. Lizza
William C. Baton
Sarah A. Sullivan
SAUL EWING ARNSTEIN & LEHR LLP
One Riverfront Plaza
1037 Raymond Blvd., Suite 1520
Newark, NJ 07102
(973) 286-6722
clizza@saul.com
wbaton@saul.com

*Attorneys for Defendants
Amarin Pharma, Inc., Amarin Pharmaceuticals
Ireland Limited, and Amarin Corporation plc*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

IN RE: VASCEPA ANTITRUST
LITIGATION INDIRECT PURCHASER
PLAINTIFFS

Civil Action No. 21-12061
(ZNQ)(LHG)

**ORAL ARGUMENT
REQUESTED**

Motion Day: December 20, 2021

(Filed Electronically)

AMARIN'S NOTICE OF MOTION TO DISMISS

James E. Cecchi
CARELLA BYRNE CECCHI OLSTEIN
BRODY & AGNELLO, P.C.
5 Becker Farm Road
Roseland, NJ 07068
(973) 994-1744
jcecchi@carellabyrne.com

Attorneys for Plaintiffs

Ethan J. Barlieb
Joseph H. Meltzer
KESSLER TOPAZ MELTZER & CHECK,
LLP
280 King of Prussia Road
Radnor, PA 19087
(610) 667-7706
ebarlieb@ktmc.com
jmeltzer@ktmc.com

Lee Albert
GLANCY PRONGAY & MURRAY LLP
230 Park Ave., Suite 358
New York, NY 10169
(212) 682-0988
lalbert@glancylaw.com

Mary L. Russell
FINE, KAPLAN AND BLACK, RPC
One South Broad St., 23rd Floor
Philadelphia, PA 19107
(215) 567-6565
mrussell@finekaplan.com

Attorneys for Plaintiff
Uniformed Fire Officers Association
Family Protection Plan Local 854

Joseph J. DePalma
LITE DEPALMA GREENBERG &
AFANADOR, LLC
570 Broad Street, Suite 1201
Newark, NJ 07102
(973) 623-0858
jdepalma@litedepalma.com

Attorneys for Plaintiff
Board of Trustees of the Heavy and
General Laborers' Union 472 and
Local Union 172 of NJ Pension Fund

John A. Macoretta
Jeffrey L. Kodroff
SPECTOR ROSEMAN & KODROFF, P.C.
2001 Market Street, Suite 3420
Philadelphia, PA 19103
(215) 496-0300
jmacoretta@srkattorneys.com
jkodroff@srkattorneys.com

Matthew D. Areman
MARKOWITZ & RICHMAN
123 South Broad Street, Suite 2020
Philadelphia, PA 09109
(215) 875-3100
mareman@markowitzandrichman.com

Attorneys for Plaintiff
Teamsters Health & Welfare Fund of
Philadelphia and Vicinity

Frank Rocco Schirripa
Kathryn Anne Hettler
HACH ROSE SCHIRRIPA & CHEVERIE LLP
112 Madison Avenue, 10th Floor
New York, NY 10016
(212) 213-8311
fschirripa@hrsclaw.com
kh@hrsclaw.com

Attorneys for Plaintiff
Welfare Plan of the International Union
of Operating Engineers Locals 137,
137A, 137B, 137R, on Behalf of Itself
and Those Similarly Situated

PLEASE TAKE NOTICE that as soon as counsel may be heard, Defendants Amarin Pharma, Inc., Amarin Pharmaceuticals Ireland Limited, and Amarin Corporation plc (collectively, “Amarin”) shall move before the Honorable Zahid N. Quraishi, U.S.D.J., at the Clarkson S. Fisher Building & U.S. Courthouse, 402 East State Street, Trenton, New Jersey 08608, for an Order dismissing Plaintiffs’ Consolidated Class Action Complaint (D.I. 53) with prejudice pursuant to Federal Rule of Civil Procedure 12(b)(6).

PLEASE TAKE FURTHER NOTICE that in support of this Motion, Amarin will rely on (i) Amarin’s Brief in Support of its Motion to Dismiss; and (ii) all other pleadings and proceedings on file in this case and related Civil Action No. 21-10309.

PLEASE TAKE FURTHER NOTICE that pursuant to Local Civil Rule 7.1(e), a proposed form of Order is submitted herewith.

PLEASE TAKE FURTHER NOTICE that Amarin hereby requests oral argument.

Dated: October 1, 2021

Respectfully submitted,

s/ William C. Baton

Charles M. Lizza

William C. Baton

Sarah A. Sullivan

SAUL EWING ARNSTEIN & LEHR LLP

One Riverfront Plaza

1037 Raymond Blvd., Suite 1520

Newark, NJ 07102

(973) 286-6722

clizza@saul.com

wbaton@saul.com

Timothy C. Hester*

Ashley E. Bass*

COVINGTON & BURLING LLP

One CityCenter

850 Tenth Street NW

Washington, D.C. 20001

Telephone: (202) 662-6000

Facsimile: (202) 778-6000

thester@cov.com

abass@cov.com

**admitted pro hac vice*

Attorneys for Defendants

Amarin Pharma, Inc., Amarin

Pharmaceuticals Ireland Limited, and

Amarin Corporation plc